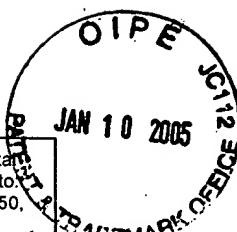


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 7, 2005

Signature: 
(Marian L. Christopher)



Docket No.: 559662000101
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Bruce J. ROSER

Application No.: 09/888,734

Filed: June 25, 2001

For: DRIED BLOOD FACTOR COMPOSITION
COMPRISING TREHALOSE

Art Unit: 1651

Examiner: F. Prats

SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Supplemental Response to an Office action mailed 1 September 2004, time for response to which was set to expire 1 December 2004. A Response was filed on 1 December 2004, but omitted to mention two items. A petition for an extension of time of two (2) months until 1 February 2005 is attached hereto, along with the required fee, in order to make this response timely.

First, applicant neglected to point out an additional difference between Factor VIII which has not been treated with thrombin and activated Factor VIII described in Curtis, U.S. patent 5,576,291. Native Factor VIII is most stable when stored at pH 7.4 as indicated in column 6, sd-235743

lines 39-46, which states that the starting material for conversion to the activated form, native Factor VIII, is stored at this pH. On the other hand, the activated form of Factor VIII is most stable at a more acidic pH. This is found in column 5, at lines 48-51. Applicant wishes to point out this additional difference. This further shows that conditions and formulations appropriate for stabilizing and storing activated Factor VIII are not those appropriate for native Factor VIII.

The second item that applicant wishes to bring to the attention of the Office is that the assignee of the present application has licensed this invention and patents and applications protecting it to Baxter, the owner of the Curtis patent and the employer of Dr. Helgerson who executed one of the declarations submitted with the Response filed on 1 December.

Applicant respectfully requests consideration of the foregoing items.

In addition, enclosed herewith is an Information Disclosure Statement submitted for the purpose of bringing the attention of the Office to U.S. Patent No. 5,565,427, recently brought to the attention of applicant, which describes additional formulations of Factor VIII, including the potential elimination of albumin.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket No. 559662000101.

Respectfully submitted,

Dated: January 7, 2005

By: Kate H. Murashige
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